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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,092	06/11/2001	Takashi Arai	862.C2261	1304
5514	7590	09/16/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			BLOUIN, MARK S	
			ART UNIT	PAPER NUMBER
			2653	

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/877,092	ARAI, TAKASHI	
	Examiner	Art Unit	
	Mark Blouin	2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 27 June 2005.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 1-22, 36, 40, 41, 54, & 55 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 23-35, 37-39 and 42-53 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 June 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## **Detailed Action**

### ***Election/Restrictions***

1. Applicant's election with traverse of Claims 23-35, 37-39, and 42-53 in the reply filed on June 27, 2005 is acknowledged. The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 25, 26, and 47 recite the limitation "the cell" in line 2 of each claim. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 23-25, 27-35, 37-39, 42-45, and 47-53 are rejected under 35 U.S.C. 102(b) as being anticipated by Feist et al (US pub 2002/0080712 A1).

6. Regarding Claim 23, 27, 29, 42, 44, 45, and 51, Feist et al shows [0041 and 0042] a housing structure for audio equipment or video equipment, characterized by comprising a structural member of the equipment body, means for generating an audio signal or video signal (inherent), a reception object (optical element) for receiving a signal, a resin molded product for audio equipment or video equipment, which is incorporated in a housing of the equipment for

outputting an audio signal or video signal and is molded from a resin material for holding a driving member in the equipment, characterized in that vibration damping function objects are contained in the resin molded product in the step of molding the resin molded product.

7. Regarding Claim 24,28, 30, and 46, Feist et al shows [0041 and 0042] the resin molded product characterized in that the vibration damping function objects comprise a gas (foamed structure) and a bubble diameter (structure of the foamed material) adjusted and contained in the resin molded product in the molding step.

8. Regarding Claim 25, Feist et al shows [0041 and 0042] and Example 14, the resin molded product characterized in that a size of the cell contained in the resin molded product is set to a diameter that implements a function of absorbing vibrations generated by the driving member.

9. Regarding Claim 31, Feist et al shows [0041 and 0042], Example 14, and Figures 33-35, a resin molded product formed by molding resin material, characterized in that a gas is contained in the resin material to form cells, and external vibrations are damped by making the cells deform upon application of the vibrations.

10. Regarding Claim 32, Feist et al shows [0044] the molded product characterized in that the cells in the resin molded product have different diameters (non-homogenous) depending on positions of the cells in the molded product.

11. Regarding Claims 33 and 37-39, Feist et al shows [0045] and Fig. 33 an antivibration member for incorporating driving unit in an equipment body, that when the antivibration member characterized in molded by using a resin material, gas is injected into the resin material to form

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cells, and diameters of the cells in the molded product are set to gradually increase from a surface of molded product to a central portion.

12. Regarding Claims 34 and 35, Feist et al shows (Figs. 4-6) a structural member formed from a resin material, characterized in that a viscosity property near a surface layer of the structural member is made stronger than that near a central portion, and that a spring property near the central portion is made stronger than that near the surface layer, and that the structural member is a structural member which molded from a resin material and incorporated in audio equipment or video equipment.

13. Regarding Claim 43, Feist et al shows [0041 and 0042] the molded product characterized in that the vibration source object comprises a rotating member (inherent – the vibration source object is spinning).

14. Regarding Claims 48 and 49, Feist et al shows [0007] a molded product made of resin material which holds a rotating member for receiving information from an information source and transferring the information to an information reception object and the reception object for receiving the information from the rotating member on a mount surface while maintaining an optical positional relationship between the rotating member and the reception object (inherent in an optical read write system), characterized that damping generated by the rotating member are contained in the molded product, characterized in that the information from the information source a signal based on laser light (15).

15. Regarding Claim 50, Feist et al shows (Fig. 26, (208)) a mount member on which transfer means for transferring signal from signal generating means for generating image information to an optical element upon rotation, characterized in that the mount member is molded by using a

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resin material, and a function portion for damping vibrations is molded together in the molding process.

16. Regarding Claims 52 and 53, Feist et al shows (Figs. 4-6) the molded product characterized in that a vibration damping factor between a position of the image transfer means and a position of the image reception means is adjusted to not less than 35 dB/sec, and characterized in that a flexural rigidity of the molded product is set to 4,500 to 9,800 MPa.

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 26 and 47 rejected under 35 U.S.C. 103(a) as being unpatentable over Feist et al (US pub 2002/0080712 A1) in view of Applicant's admitted prior art.

19. Regarding Claims 26 and 47, Feist et al shows all the features described, *supra*, but does not show that sizes of the cells in the molded product fall within a range of 10 to 100  $\mu\text{m}$ .

Applicant shows (Page 4, line 13 of the Specification - 25  $\mu\text{m}$ ) that sizes of the cells in the molded product fall within a range of 10 to 100  $\mu\text{m}$ .

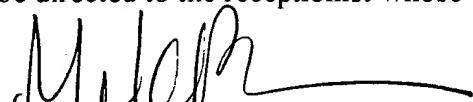
It would be obvious to one of ordinary skill in the art at the time the invention was made to provide the molded resin product of Feist et al with the Applicant's same size cells through routine experimentation and optimization in the absence of criticality.

***Conclusion***

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (571) 272-7583. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, William Korzuch can be reached at (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Mark Blouin  
Patent Examiner  
Art Unit 2653  
September 8, 2005

A. J. HEINZ  
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